

SENATE JOURNAL

OF THE

IDAHO LEGISLATURE

SECOND REGULAR SESSION
SIXTY-THIRD LEGISLATURE

TWENTY-NINTH LEGISLATIVE DAY
MONDAY, FEBRUARY 8, 2016

Senate Chamber

President Little called the Senate to order at 11 a.m.

Roll call showed all members present except Senators Johnson and Keough, absent and excused.

Prayer was offered by Father John Worster.

The Pledge of Allegiance was led by Aleena Follett, Page.

The Senate advanced to the Third Order of Business.

Reading and Correction of the Journal

The JUDICIARY AND RULES Committee reports that the Senate Journal of the proceedings of February 5, 2016, was read and approved as corrected.

LODGE, Chairman

There being no objection, the report was adopted and ordered filed in the office of the Secretary of the Senate.

Senators Johnson and Keough were recorded present at this order of business.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Sixth Order of Business.

Reports of Standing Committees

February 8, 2016

The JUDICIARY AND RULES Committee reports that [S 1261](#), [S 1262](#), [S 1263](#), [S 1264](#), [S 1265](#), [S 1266](#), [S 1267](#), [S 1268](#), and [S 1269](#) have been correctly printed.

LODGE, Chairman

[S 1261](#), [S 1262](#), and [S 1263](#) were referred to the Transportation Committee.

[S 1264](#) and [S 1265](#) were referred to the Commerce and Human Resources Committee.

[S 1266](#) and [S 1267](#) were referred to the Education Committee.

[S 1268](#) was referred to the Health and Welfare Committee.

[S 1269](#) was referred to the State Affairs Committee.

February 5, 2016

The JUDICIARY AND RULES Committee reports that Enrolled [S 1199](#) and [S 1200](#) were delivered to the Office of the Governor at 2:13 p.m., February 5, 2016.

LODGE, Chairman

The report was ordered filed in the office of the Secretary of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Ninth Order of Business.

Messages from the House

February 5, 2016

Dear Mr. President:

I transmit herewith [H 371](#), [H 378](#), [H 377](#), [H 392](#), [H 386](#), [H 391](#), [H 346](#), and [H 373](#), which have passed the House.

ALEXANDER, Chief Clerk

[H 371](#), [H 378](#), [H 377](#), [H 392](#), [H 386](#), [H 391](#), [H 346](#), and [H 373](#) were filed for first reading.

February 5, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 365](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 365](#) and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Eleventh Order of Business.

Introduction, First Reading, and Reference of Bills, House Petitions, Resolutions, and Memorials

S 1270

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE BENEFIT PAYMENTS PROGRAM FOR FISCAL YEAR 2016; APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE HEALTHCARE POLICY INITIATIVES PROGRAM FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1271

BY FINANCE COMMITTEE

AN ACT

APPROPRIATING ADDITIONAL MONEYS TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2016; REDUCING THE APPROPRIATION TO THE DEPARTMENT OF HEALTH AND WELFARE FOR THE DIVISION OF MEDICAID FOR FISCAL YEAR 2016; AND DECLARING AN EMERGENCY.

S 1272
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO THE SCHOOL DISTRICT BOND CREDIT ENHANCEMENT PROGRAM; AMENDING SECTION 57-728, IDAHO CODE, TO RAISE THE AGGREGATE GUARANTEE LIMIT OF THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO RAISE THE PER DISTRICT GUARANTEE LIMIT UNDER THE CREDIT ENHANCEMENT PROGRAM FOR SCHOOL DISTRICT BONDS, TO PROVIDE APPLICATION AND TO PROVIDE CORRECT TERMINOLOGY; AND DECLARING AN EMERGENCY.

S 1273
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO SCHOOL DISTRICT TRUSTEES; AMENDING SECTION 33-504, IDAHO CODE, TO PROVIDE REQUIREMENTS REGARDING VACANCIES ON A BOARD OF TRUSTEES WHEN SCHOOL DISTRICT TRUSTEES ARE SUBJECT TO A RECALL ELECTION; AND DECLARING AN EMERGENCY.

S 1274
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ABSENTEE VOTING; AMENDING SECTION 34-1002, IDAHO CODE, TO REVISE A CERTAIN APPLICATION DEADLINE AND TO MAKE TECHNICAL CORRECTIONS.

S 1275
BY STATE AFFAIRS COMMITTEE
AN ACT

RELATING TO ABSENTEE VOTING; AMENDING SECTION 34-1012, IDAHO CODE, TO REVISE PROVISIONS REGARDING EARLY VOTING AND TO MAKE TECHNICAL CORRECTIONS; AND DECLARING AN EMERGENCY.

[S 1270](#), [S 1271](#), [S 1272](#), [S 1273](#), [S 1274](#), and [S 1275](#) were introduced, read the first time at length, and referred to the Judiciary and Rules Committee for printing.

[H 371](#), by Business Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 378](#), by Resources and Conservation Committee, was introduced, read the first time at length, and referred to the Resources and Environment Committee.

[H 377](#), by Commerce and Human Resources Committee, was introduced, read the first time at length, and referred to the Commerce and Human Resources Committee.

[H 392](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 386](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 391](#), by Education Committee, was introduced, read the first time at length, and referred to the Education Committee.

[H 346](#), by Revenue and Taxation Committee, was introduced, read the first time at length, and referred to the Local Government and Taxation Committee.

[H 373](#), by Health and Welfare Committee, was introduced, read the first time at length, and referred to the Health and Welfare Committee.

The Senate advanced to the Twelfth Order of Business.

Second Reading of Bills

[S 1230](#), by Transportation Committee, was read the second time at length and filed for third reading.

[S 1219](#), by State Affairs Committee, was read the second time at length and filed for third reading.

[H 403](#), by Appropriations Committee, was read the second time at length and filed for third reading.

[H 348](#), [H 353](#), [H 358](#), and [H 361](#), by Revenue and Taxation Committee, were read the second time at length and filed for third reading.

The Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 425](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Rice arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 33.

NAYS—Jordan, Nuxoll. Total - 2.

Total - 35.

Whereupon the President declared [H 425](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Tenth Order of Business.

Motions and Resolutions

The President announced that the State Affairs Committee report relative to the Gubernatorial appointment of Eric R. Anderson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator McKenzie disclosed a possible conflict of interest under applicable law.

On motion by Senator Keough, seconded by Senator Stennett, the Gubernatorial appointment of Eric R. Anderson as a member of the Public Utilities Commission was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Janice E. Fulkerson was before the Senate for final consideration, the question being, "Shall the report be adopted?"

On motion by Senator Ward-Engelking, seconded by Senator Lakey, the Gubernatorial appointment of Janice E. Fulkerson as a member of the Idaho Health Insurance Exchange Board was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

The President announced that the Commerce and Human Resources Committee report relative to the Gubernatorial appointment of Todd Lakey was before the Senate for final consideration, the question being, "Shall the report be adopted?"

Pursuant to Senate Rule 39(H), Senator Lakey disclosed a possible conflict of interest under applicable law.

On motion by Senator Martin, seconded by Senator Jordan, the Gubernatorial appointment of Todd Lakey as a member of the State Insurance Fund was confirmed by voice vote.

The President declared the report adopted and directed the Secretary of the Senate to prepare a letter of the Gubernatorial appointment confirmation for his signature, attested to by the Secretary, to be transmitted to the Governor informing him of the action of the Senate.

On request by Senator Davis, granted by unanimous consent, the Senate returned to the Ninth Order of Business.

Messages from the House

February 8, 2016

Dear Mr. President:

I transmit herewith Enrolled [H 425](#) for the signature of the President.

ALEXANDER, Chief Clerk

The President signed Enrolled [H 425](#) and ordered it returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Thirteenth Order of Business.

Third Reading of Bills

[H 384](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Guthrie arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 384](#) passed, title was approved, and the bill ordered returned to the House.

[H 344](#) was read the third time at length, section by section, and placed before the Senate for final consideration. Senator Johnson arose as sponsor of the bill and opened the debate. The question being, "Shall the bill pass?"

Roll call resulted as follows:

AYES—Anthon, Bair, Bayer, Brackett, Buckner-Webb, Burgoyne, Davis, Den Hartog, Guthrie, Hagedorn, Harris, Heider, Hill, Johnson, Jordan, Keough, Lacey, Lakey, Lee, Lodge, Martin, McKenzie, Mortimer, Nonini, Nuxoll, Patrick, Rice, Schmidt, Siddoway, Souza, Stennett, Thayn, Vick, Ward-Engelking, Winder. Total - 35.

Whereupon the President declared [H 344](#) passed, title was approved, and the bill ordered returned to the House.

On request by Senator Davis, granted by unanimous consent, the Senate advanced to the Fifteenth Order of Business.

Miscellaneous Business

On motion by Senator Davis, seconded by Senator Stennett, by voice vote, the Senate adjourned at 12 noon until the hour of 11 a.m., Tuesday, February 9, 2016.

BRAD LITTLE, President

Attest: JENNIFER NOVAK, Secretary